

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

E.C., through next friend Eddie Coley, et al.,)
)
Plaintiffs,)
)
v.) Case No. 4:18-CV-940 NAB
)
ERIC DOYLE TRUCKING,)
)
Defendant.)

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiffs' Motion for Leave to File First Amended Complaint. [Doc. 12.] Defendant did not file a response and the time to do so has now passed. Based on the following, the Court will grant Plaintiffs' motion.

The court should freely give leave to amend when justice so requires. Fed. R. Civ. P. 15(a)(2). Parties do not have an absolute right to amend their pleadings even under this liberal standard. *Sherman v. Winco Fireworks, Inc.*, 532 F.3d 709, 715 (8th Cir. 2008). "A district court appropriately denies the movant leave to amend if there are compelling reasons such as undue delay, bad faith, or dilatory motive, repeated failure to cure deficiencies by amendments previously allowed, undue prejudice to the non-moving party, or futility of the amendment." *Id.*

Plaintiff's motion is timely filed, because it is before the deadline for amendment of pleadings and joining of parties, which is set for September 28, 2018. Plaintiff seeks to amend the Complaint to "properly reflect" the wrongful death claim for one of the minor plaintiffs. The Court will grant Plaintiffs' motion. Because the Plaintiffs in this action are minors, the Court directs the parties to Local Rule 2.17 which states as follows:

In compliance with the policies of the Judicial Conference of the United States and the E-Government Act of 2002, promoting electronic access to case files while also protecting personal privacy and other legitimate interests, parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal identifiers from all documents filed with the Court, including exhibits to such filings, unless otherwise ordered by the Court:

...

(2) Names of Minor Children. Only the initials of minor children may be listed in the filing.

(3) Dates of Birth. Only the year of birth may be listed in the filing.

E.D. Mo. L.R. 2.17(A), (2)-(3). The rule also states that “Parties must, in addition to the redacted filing, file under seal with the Court either (1) an unredacted copy of the document, or (2) a reference sheet containing a key to the redacted personal identifiers.” The parties should also review Local Rule 13.05 for direction regarding the filing of sealed documents.

Accordingly,

IT IS HEREBY ORDERED that Plaintiffs’ Motion for Leave to File First Amended Complaint is **GRANTED**. [Doc. 12.]

IT IS FURTHER ORDERED that pursuant to Local Rules 2.17 and 13.05, the Clerk of Court shall seal Documents 11-2 and 12-2.

IT IS FURTHER ORDERED that pursuant to Local 13.05, Plaintiffs are granted leave to file an unredacted copy of the First Amended Complaint under seal in the Court record.

IT IS FURTHER ORDERED that Plaintiffs shall file a redacted copy of the First Amended Complaint in the public record and an unredacted copy of the First Amended Complaint under seal within three (3) days of the date of this order.

Dated this 15th day of August, 2018.

/s/ Nannette A. Baker
NANNETTE A. BAKER
UNITED STATES MAGISTRATE JUDGE